

REMARKS

In the Official Action, the Examiner raised a single rejection under 35 U.S.C. §102(b) of all of the claims based on Van Loon, U.S. Patent No. 6,503,637.

By the present Amendment, claim 1 has been amended to define certain aspects of the present invention with greater precision and claim 4 has been canceled without prejudice or disclaimer. In particular, claim 1 has been amended to define the ethylene polymer (C) as being selected from the group consisting of (a) a linear low density polyethylene having a density of 895 to 925 kg/m³ prepared by using a catalyst containing a metallocene compound of a transition metal and (b) a high density polyethylene having a density of greater than 940 kg/m³ and up to 970 kg/m³. The amended language in claim 1 is consistent with the specification, such as at page 7, lines 13-21, page 8, lines 4-14, page 16, lines 27-28 and page 17, lines 1-2.

By following the teachings of the present invention, one can obtain a resin composition having an easy-openable property and which is particularly excellent in peelability from a propylene polymer layer. The composition can also provide anti-blocking properties, hygienic properties, film processability and lamination processability. A description of these advantageous properties is set forth on pages 23 and 24 of the specification. Moreover, the specification provides illustrative Examples and Comparative Examples which show the benefits which can be obtained in accordance with the present invention. For instance, Table 1 on page 18 of the specification shows that when one follows the teachings of the present invention, good peeling can be obtained. However, when one of the recited ingredients is omitted, as in Comparative Example 3, or when the recited amounts of

the components are not present as in Comparative Example 4, inferior peeling occurs.

Van Loon relates to films made of a blend of certain components, but is not directed towards achieving improved peelability. Indeed, the patent actually seeks to obtain moisture impermeability and good sealability. As the Examiner has indicated on pages 2 and 3 of the Action, Van Loon discloses a film comprising a blend of i) a homopolymer of ethylene or a copolymer of ethylene and up to 50% of a C₃-C₂₀ olefin, ii) a homopolymer of propylene or a copolymer of propylene and up to 50% weight percent of a comonomer selected from the group consisting of ethylene and C₄-C₂₀ α -olefins, and iii) a polymer produced in a high pressure process using a free radical initiator. As disclosed in the passage beginning at column 4, line 24, the high pressure polymer can be a low density polyethylene having a density of 0.91 to less than 0.94 g/cm³.

Van Loon does not disclose or suggest the invention as defined in the claims now of record. The patent does not describe the now recited resin composition of claim 1 which comprises, *inter alia*, 10-85 weight percent of an ethylene polymer selected from the group consisting of (a) a linear low density polyethylene having a density of 895 to 925 kg/cm³ prepared by using a catalyst containing a metallocene compound of a transition metal and (b) a high density polyethylene having a density of greater than 940 kg/m³ and up to 970 kg/m³ is present. The disclosed high pressure polymer is not a linear low density polyethylene having a density of 895 to 925 kg/cm³ prepared by using a catalyst containing a metallocene compound of a transition metal and is clearly not a high density polyethylene having a density of greater than 940 kg/m³ and up to 970 kg/m³. Indeed, by describing a polymer having

a density less than 0.94 g/cm³, Van Loon would actually lead those of ordinary skill in the art away from the present invention. Furthermore, the patent does not recognize that the defined resin composition can provide the aforementioned advantageous results, including good peelability. Thus, there would be no reason for one of ordinary skill in the art to even attempt to use the defined ethylene polymers recited in claim 1 in the disclosed resin composition. Accordingly, applicants respectfully submit that the claims now of record are fully patentable over the fair teachings of Van Loon and accordingly request reconsideration and allowance of the present application.

Should the Examiner have any questions concerning the subject application, the Examiner is invited to contact the undersigned attorney at the number provided below.

Respectfully submitted,

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Date: April 1, 2008